



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/728,422	11/30/2000	Y. Tom Tang	787CIP2F

CONFIRMATION NO. 3265

FORMALITIES LETTER



OC000000006519632

HYSEQ, INC.
670 Almanor Avenue
Sunnyvale, CA 94085

Date Mailed: 09/06/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

03/13/2002 SZEMDIE1 00000052 09728422

01 FC:205

65.00 OF

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- A substitute specification in compliance with 37 CFR 1.52 because:
 - Papers contain improper margins. Each sheet must have a left margin of at least 2.5 cm (1") and top, bottom and right margins of at least 2.0 cm (3/4")

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

Express Mail Label No. EV 074979050US

Date of Deposit: March 6, 2002

03-08-02 EIS
Attorney Docket 21272-029CIP2F

Sec 102
(Formerly 787CIP2F)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Y. Tom Tang et al.
SERIAL NUMBER: 09/728,422 EXAMINER: Not Yet Assigned
FILING DATE: November 30, 2000 ART UNIT: 1646
FOR: Novel Nucleic Acids and Polypeptides

Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL LETTER

Transmitted herewith for filing in the present application are the following documents:

1. Response to Notice To File Missing Parts of Application (2pgs.) (in duplicate);
2. Executed Combined Declarations and Power of Attorney for Application (seven counterparts (5pgs. each);
3. Statement In Support of Substitute Specification (37 CFR 1.125(b)(1);
4. Substitute Specification (105pgs);
5. A copy of Notice To File Missing Parts of Application;
6. Change of Attorney Docket No.;
7. Petition For Four-Month Extension of Time (1pg.) (in duplicate);
8. A Check in the amount of \$65.00, Check No. 11986 (for surcharge fee);
9. A Check in the amount of \$720.00, Check No. 11987 (for extension fee); and
10. Return Receipt Postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at 617/542-6000, Boston, Massachusetts.

The Commissioner is hereby authorized to charge any additional fees that may be due, or credit any overpayment of same, to our Deposit Account No. 50-0311, Attorney Reference No. 21272-029CIP2F (Formerly 787CIP2F). A duplicate copy of this transmittal letter is enclosed.

Respectfully submitted,

Ivor R. Elrifi, Reg. No. 39,529
Cynthia Kozakiewicz, Reg. No. 42,764
Attorneys for Applicants
c/o MINTZ, LEVIN
One Financial Center
Boston, Massachusetts 02111
Tel: (617) 542-6000
Fax: (617) 542-2241

Dated: March 6, 2002

03-08-02 EIS



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Y. Tom Tang et al.
SERIAL NUMBER: 09/728,422 EXAMINER: Not Yet Assigned
FILING DATE: November 30, 2000 ART UNIT: 1646
FOR: Novel Nucleic Acids and Polypeptides

Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL LETTER

Transmitted herewith for filing in the present application are the following documents:

1. Response to Notice To File Missing Parts of Application (2pgs.) (in duplicate);
2. Executed Combined Declarations and Power of Attorney for Application (seven counterparts (5pgs. each);
3. Statement In Support of Substitute Specification (37 CFR 1.125(b)(1);
4. Substitute Specification (105pgs);
5. A copy of Notice To File Missing Parts of Application;
6. Change of Attorney Docket No.;
7. Petition For Four-Month Extension of Time (1pg.) (in duplicate);
8. A Check in the amount of \$65.00, Check No. 11986 (for surcharge fee);
9. A Check in the amount of \$720.00, Check No. 11987 (for extension fee); and
10. Return Receipt Postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at 617/542-6000, Boston, Massachusetts.

The Commissioner is hereby authorized to charge any additional fees that may be due, or credit any overpayment of same, to our Deposit Account No. 50-0311, Attorney Reference No. 21272-029CIP2F (Formerly 787CIP2F). A duplicate copy of this transmittal letter is enclosed.

Respectfully submitted,

Ivor R. Elrifi, Reg. No. 39,529
Cynthia Kozakiewicz, Reg. No. 42,764
Attorneys for Applicants
c/o MINTZ, LEVIN
One Financial Center
Boston, Massachusetts 02111
Tel: (617) 542-6000
Fax: (617) 542-2241

Dated: March 6, 2002



Express Mail Label No. EV 074979050US

Date of Deposit: March 6, 2002

Attorney Docket 21272-029CIP2F
(Formerly 787CIP2F)

+IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Y. Tom Tang et al.
SERIAL NUMBER: 09/728,422 EXAMINER: Not Yet Assigned
FILING DATE: November 30, 2000 ART UNIT: 1646
FOR: Novel Nucleic Acids and Polypeptides

Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS

In response to the Notice To File Missing Parts mailed September 6, 2001, Applicants submit herein executed Combined Declaration and Power of Attorney (7 counterparts), payment of surcharge fee \$65.00 set forth in 37 C.F.R. §1.16(e), Statement In Support of Substitute Specification 37 CFR 1.125(b)(1), Substitute Specification and a Petition for a Four-Month Extension of Time. The response is due on or before March 6, 2002. Applicants believe no additional filing fees are due. A copy of the Notice To File Missing Parts is also enclosed.

The Commissioner is hereby authorized to charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Attorney Reference No. 21272-029CIP2F (formerly 787CIP2F). Should any questions or issues arise concerning this application, the Examiner is encouraged to contact the undersigned at the telephone number provided below. A duplicate of this letter is enclosed.

Respectfully submitted,

Ivor R. Elrifi, Reg. No. 39,529
Cynthia Kozakiewicz, Reg. No. 42,764
Attorneys for Applicants
c/o MINTZ, LEVIN
One Financial Center
Boston, Massachusetts 02111
Tel: (617) 542-6000
Fax: (617) 542-2241

Dated: March 6, 2002

TRA 1639685v1



Express Mail Label No. EV 074979050US

Date of Deposit: March 6, 2002

Attorney Docket 21272-029CIP2F
(Formerly 787CIP2F)

+IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Y. Tom Tang et al.
SERIAL NUMBER: 09/728,422 EXAMINER: Not Yet Assigned
FILING DATE: November 30, 2000 ART UNIT: 1646
FOR: Novel Nucleic Acids and Polypeptides

Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS

In response to the Notice To File Missing Parts mailed September 6, 2001, Applicants submit herein executed Combined Declaration and Power of Attorney (7 counterparts), payment of surcharge fee \$65.00 set forth in 37 C.F.R. §1.16(e), Statement In Support of Substitute Specification 37 CFR 1.125(b)(1), Substitute Specification and a Petition for a Four-Month Extension of Time. The response is due on or before March 6, 2002. Applicants believe no additional filing fees are due. A copy of the Notice To File Missing Parts is also enclosed.

The Commissioner is hereby authorized to charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Attorney Reference No. 21272-029CIP2F (formerly 787CIP2F). Should any questions or issues arise concerning this application, the Examiner is encouraged to contact the undersigned at the telephone number provided below. A duplicate of this letter is enclosed.

Respectfully submitted,

Ivor R. Elrifi, Reg. No. 39,529
Cynthia Kozakiewicz, Reg. No. 42,764
Attorneys for Applicants
c/o MINTZ, LEVIN
One Financial Center
Boston, Massachusetts 02111
Tel: (617) 542-6000
Fax: (617) 542-2241

Dated: March 6, 2002

TRA 1639685v1

20090306 2242260

Express Mail No.: EF415382491US
Docket No.: 787CIP2F

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
UTILITY PATENT APPLICATION TRANSMITTAL UNDER 37 CFR 1.53

BOX PATENT APPLICATION
Assistant Commissioner for Patents
Washington, D.C. 20231



Sir:

NON PUBLICATION IS REQUESTED. A CERTIFICATION IS BELOW.

Transmitted herewith for filing is the patent application of

Inventor(s): Y. Tom Tang, Ping Zhou, Ryle Goodrich, Chenghua Liu, Vinod Asundi, Feiyan Ren, Qing A. Zhao, Yonghong Yang, Tom Wehrman, Radoje T. Drmanac

Title: NOVEL NUCLEIC ACIDS AND POLYPEPTIDES

☒ Applicant(s) hereby request(s) that the above-captioned application **NOT BE PUBLISHED** under 35 U.S.C. § 122(b) and 37 C.F.R. § 1.211. The undersigned hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.

☐ Applicant(s) suggest(s) Figure * for inclusion on the front page of the patent application publication and patent.

1. Type of application

- ☒ This is a new application for a
- ☒ Utility patent.
- ☒ This is a continuation-in-part application of prior application no. 09/560,875 filed April 27, 2000, Attorney Docket No. 787CIP, which is a continuation-in-part application of prior application no. 09/496,914 filed February 03, 2000, Attorney Docket No. 787.
- ☒ Applicants claim small entity status (See 37 CFR 1.27)

CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this Patent Application Transmittal and the documents referred to as enclosed therewith are being deposited with the United States Postal Service on November 30, 2000, in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 utilizing the "Express Mail Post Office to Addressee" service of the United States Postal Service under Mailing Label No. EF415382491US


Annya Dushine

2. **Application Papers Enclosed**

1 Title Page
107 Pages of Specification (excluding Claims, Abstract, Drawings & Sequence Listing)
4 Page(s) of Claims
1 Page(s) of Abstract
0 Sheet(s) of Drawings (Figs. X-X) ☐ Formal ☐ Informal
28 Page(s) of Sequence Listing

3. **Oath or Declaration**

- ☐ An executed declaration of the inventor(s) is enclosed
- ☒ Unexecuted – the undersigned attorney or agent is authorized to file this application on behalf of the applicant(s). An executed declaration will follow.

4. **Additional Papers Enclosed**

- ☐ Preliminary Amendment
- ☐ Information Disclosure Statement
- ☐ Declaration of Biological Deposit
- ☒ Computer readable copy of sequence listing containing nucleotide and/or amino acid sequence
- ☒ Statement Under 37 CFR § 1.821
- ☒ Paper copy of sequence listing identical to computer copy (28 pages)
- ☐ Assignment Document
- ☐ A bibliographic data entry sheet
- ☐ Verified translation of a non-English patent application
- ☒ Return receipt postcard
- ☐ Other _____

5. **Priority Applications Under 35 USC 119**

Certified copies of applications from which priority under 35 USC 119 is claimed are listed below and

- ☐ are attached.
☐ will follow.

6. **Filing Fee Calculation (37 CFR 1.16)**

A. ☒ **Utility Application**

CLAIMS AS FILED – INCLUDING PRELIMINARY AMENDMENT (IF ANY)						
			SMALL ENTITY		OTHER THAN A SMALL ENTITY	
	NO. FILED	NO. EXTRA	RATE	FEE	RATE	FEE
BASIC FEE				\$355.00		\$710.00
TOTAL	30-20	= 10	X 9 =	\$90.00	X 18 =	\$0.00
INDEP.	3-3	= 0	X 40 =	\$00.00	X 80 =	\$0.00
<input checked="" type="checkbox"/> First Presentation of Multiple Dependent Claim			+ 135 =	\$135.00	+ 270 =	\$0.00
FILING FEE:				\$580.00	OR	\$0.00

B. ☐ **Design Application (\$160.00/\$320.00)** Filing Fee: \$ _____

C. ☐ **Plant Application (\$245.00/\$490.00)** Filing Fee: \$ _____

D. **Other fees**

- ☐ Recording Assignment [Fee -- \$40.00 per assignment] \$ _____
- ☐ Petition fee for filing by other than all the inventors or person on behalf of the inventor where inventor refused to sign or cannot be reached [Fee -- \$130.00] \$ _____
- ☐ Other \$ _____

TOTAL FEES ENCLOSED \$ 580.00

7. **Method of Payments of Fees**

- ☐ Enclosed check
- ☒ Charge Deposit Account No. 501169. A duplicate copy of this transmittal is enclosed
- ☐ This application is being filed without a filing fee. Issuance of a Notice to File Missing Parts if respectfully requested.

8. **Deposit Account and Refund Authorization**

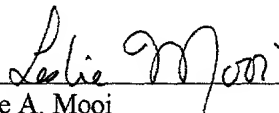
- ☒ The Commissioner is hereby authorized to charge payment of any additional fees due or credit any overpayment to Deposit Account No. 501169. A duplicate copy of this transmittal is enclosed.

Please direct all future correspondence to Leslie A. Mooi at the address below.

Respectfully submitted,

Date: November 30, 2000

By:



Leslie A. Mooi
Attorney for Applicants
Registration No.: 37,047
HYSEQ, INC.
670 Almanor Avenue
Sunnyvale, CA 94085
(408) 524-8100
(408) 524-8145 (Telefacsimile)